

SPRIT OF THE PRESS.

Editorial Opinions of the Leading Journals Upon Current Topics. Compiled Every Day for the Evening Telegraph.

SPECTACULAR STATESMANSHIP AND LAW.

From the N. Y. World.

President Grant has again found his ignorance of the law an impediment in carrying out the policy announced in his inaugural of executing all laws, good or bad, and in fulfilling his oath of office to the same effect. He stumbled over that ignorance in nominating Mr. Stewart as Secretary of the Treasury, when a Federal statute forbade such an appointment. Stumbling thus and falling, he called on Congress to pick him up and set him on his feet again by repealing the statute which he was violating.

He has stumbled and fallen again over his ignorance. His order to Marshal Barlow to hold the prisoner Pratt "at any cost" disclosed that ignorance in all its proportions. Had Congress been in session, doubtless that body would have been invoked to set the President on his legs again by an act conforming the law to his ignorance, and ordaining that an offense committed in the United States can be tried elsewhere than in the district where committed, or if committed on the high seas, elsewhere than in the port or district into which the prisoner is first brought. Whether Burr or Grant most disgraced us might then be left to the decision of a military commission. But Congress was not in session to be called on to back up Grant and set him on his legs again, and so he has had to be content with the performance of that service by District Attorney Pierpont and United States Commissioner Osborne. They have done it with spectacular effect.

The plea of District Attorney Pierpont was a farce, decorously performed, we must admit; the whole trial before United States Commissioner Osborne was a sham, and, as in most mock trials, the business was a little overdone by the presiding officer. The purpose of the sham was to conceal from general observation that President Grant had again stumbled and was prostrate, waiting to be set up again for our homage in the chair of state.

For District Attorney Pierpont must have known, from the beginning of the Pratt business to the denouement into which he conducted it so ingeniously and so piously as if he had been a son of No. 1, and United States Commissioner Osborne must have learned over Sunday, if no earlier, under the tuition of the Chambers street stage manager, that an offense committed in the United States can be tried only in the district where committed. The reason of the law is to prevent the Government from marching a prisoner about to select a district favorable to a conviction. But the warrant of the Commissioner affirmed that Pratt's offenses were all done in the district or State of Texas. In his Sunday-schooling, Commissioner Osborne was doubtless informed that those offenses were therefore triable in that State or district, and nowhere else in this solar system. He was doubtless instructed, also, that no commissioner, magistrate, judge, or court in New York had the legal right to initiate the arrest of Pratt; that the starting point was Texas, and the proper manner of proceeding was for the United States to procure an indictment against the accused in that State, and on it demand his extradition from the Governor of New York; that on the extradition the sole inquiry would be the identity of the person charged in the indictment with the person sought to be removed. Stage-Manager Pierpont, moreover, before putting the court through its rehearsals, must have had to disclose to Osborne not only his own blunders, but also the blunders of the military noodles at Texas and in Washington, who, instead of pursuing the above-mentioned customary and legal course, sent a detective after Pratt, who filed him in New York, eight months after his alleged offense, who has no personal knowledge thereof, except hearsay, which is not competent evidence, yet thereupon makes a complaint and gets from Osborne a warrant, perhaps promising him more evidence on the examination, but certainly offering no legal proof—and no evidence but what went to show that Osborne had no jurisdiction over the offense even if committed by Pratt.

There must have been a dress rehearsal—Osborne went through the last act of this spectacular drama so glibly. We can fancy District Attorney, or rather Director, Pierpont bringing the court into a proper docility by informing Mr. Osborne that, whatever his name, grade, or rank in the system of Federal judicature—nay, not even though he were Justice Nelson himself in his robes and his lion's mane, instead of being endowed with a quite different apparel and authority, had the rightful power in the premises to arrest and hold Booth; and, as the court resisted and cited Booth's attorney, and the decision therein of Chief Justice Taney, doubtless the index finger of the manager arose, and Mr. Osborne was taught that, as against the jurisdiction of a State judge issuing a writ of habeas corpus to bring Pratt before him, it was preposterous to allege that for preventing inquiry whether, under the Federal laws, admitting the guilt of the accused to be as laid, he (Osborne) had any jurisdiction; and, if none, then his warrant to Barlow conveyed to him no authority or protection.

We hear the exasperated stage manager saying—"Suppose it admitted that you were not a commissioner when you issued the warrant, is a State judge prevented by the ghost of Taney from taking notice of that admission? Suppose it admitted on all sides that, being a commissioner over the case of this murderer of Texas, must a State judge shut his eyes to the admission; and what difference can he know between want of jurisdiction admitted or want of jurisdiction proved incontestably? Of course, had Congress clearly given you jurisdiction in words, a State judge ought not to divest that jurisdiction upon the ground that the words were unconstitutional."

When the Managing Director had his pupil sufficiently humbled, he doubtless then disclosed to him how much safer for him it was, and how essential to the disordered dignity of Grant it was, that the Court should go on, instead of retreating, and proceed to exercise the jurisdiction that it had usurped.

One dress-rehearsal of this sham, along with the consciousness that he was contributing to rescue the President from a position worse even than that of Barlow envied with artillery in his public and his most private business, probably sufficed for the United States Commissioner. The declamation may have been a little overdone where he said "that the prisoner was legally in his jurisdiction without a doubt, and were the same information furnished to him again he would issue another warrant, and do it repeatedly; but something is to be forgiven to these amateur theatricals, and we must remember that to save his superior's dignity it was necessary to sacrifice all his own."

After District Attorney—we beg pardon—after Mr. Managing Director Pierpont had delivered his carefully irrelevant eloquence, and had declared, with an energy which would have done credit to Forrest in "Jack Cade," that "the debate commenced at Fort Sumter in 1861 and closed at Appomattox Court House in 1865" was now the supreme law in any question of Federal or State jurisdiction; and after he had gone through his part of presenting a witness who swore to nothing in point, and papers which he regretted were inadmissible as evidence, and telegraphic despatches of which the court could take no cognizance, the way was handsomely prepared for the Commissioner and the one given.

The Court did not forget its part: Jurisdiction was claimed and exercised for the purpose of letting the Texan murderer go free; and the sacrifice of law, personal honor, and of the dignity and repute of a court being thus complete, in the background appeared the upright figure of President Grant, sitting in reconstructed dignity in his chair of state, with only a little dirt upon his clothes where he had fallen, slowly ascending amid the blaze of Bengal lights held aloft by Barlow, Jackson, and Purdy, and with the United States District Attorney and the United States Commissioner lifting up their shining faces and crying, "Saved—at any cost."

THE MORMON QUESTION.

From the N. Y. Tribune.

The patience with which decent people have listened to the stories of despotism and license at Salt Lake City for some time past was founded, we dare say, in a great measure upon the conviction that, before the flood of light which the opening of the Pacific Railroad would pour into the dominions of Brigham Young, the dark superstitions of the Latter Day Saints must speedily break away. The road is open, and already the conflict has begun. There is yet no direct rail communication with the Mormon capital, but there soon will be; and meanwhile the locomotive traverses the whole breadth of the Territory of Utah, and stations are "Gentile" settlements are springing up all along its path. It seems impossible that polygamy and absolutism should long withstand the great steam civilization; but Brigham Young fights hard for his supremacy, and even the Gentiles of Salt Lake City doubt whether he will not succeed in keeping it. The corner-stone of his system is popular ignorance, and the safeguard of ignorance is isolation. A year ago, therefore, he began a crusade for the purpose of driving out the Gentile merchants and shopkeepers, forbidding his people to have any dealings with them; but the laws of trade were stronger than sermons, and the prophet's commands were never faithfully obeyed. A few months ago Brigham tried another expedient. This was nothing else than the conversion of all the trade of the city into one grand co-operative enterprise, in which of course none but Mormons were to share. The scheme took the form of a revelation, and was instantly put into practice. Individual traders turned their stock into the general concern—most of them of course losing money by the operation—and the organization opened its grocery, dry goods, and hardware shops, all over the settlements. It is too soon yet to judge of the success of the undertaking; but trade is flowing fast into the new channel, and competition is rigidly suppressed. Private persons may sell goods as much as they please, but they must not sell for less than the co-operative shops.

The success of this plan would do more than anything else could to drive Gentiles out of the Territory and prolong Brigham's lease of power; but we must not forget that the danger to Mormonism is not only in association with a more enlightened population, but in the dissemination of intelligence among the Mormons themselves. The railroad may not bring in shopkeepers; but nothing can prevent its introducing books and newspapers. Our correspondent well remarks that "even the trashiest of yellow-covered novels are dangerous enemies to Mormonism;" and, when the literature of the day is easily procurable, as it is already in Utah, isolation is at an end. Put these people face to face with the opinions of mankind, and they will not long be so ready to lay them into sympathy with the progress of the rest of the world, and they will no longer feel that they are set apart from all the race, and are subject to a tyranny or revel in a loathsome practice, which civilized nations lift up their hands in horror. Perhaps it is upon the women that the book, the newspaper, the magazine, will have the quickest effect; and so the first modifications of the Mormon tyranny will spring from their resistance. Yet, even with the destruction of the prophet's supremacy, which we can hardly think far distant, a sudden overthrow of polygamy cannot be expected. The man who has two wives is a slave bound forever to the Mormon system. He cannot leave the Territory, and he cannot leave the Church. He must bear for life the burden of superstition which has been taken upon his shoulders. With the woman it is still worse. If she cuts herself loose from the creed which she may have learned to hate, every respectable door is closed against her, and life is shameful and hopeless. The saints, we suppose, must divide away where they are, and Mormonism must die out rather than break to pieces. But the despotism of Brigham's government cannot long survive the influence of the railroad; and when that goes the new generation of believers will grow up with thoughts and customs very different from those of their ancestors. Mormonism then will cease to be disgusting, though it may not become rational.

THE GENERAL MUDDLE AMONG THE POLITICIANS.

From the N. Y. Herald.

It will not be surprising if, from the present general muddle among the politicians, parties, and factions of the day, we shall have a scrub race, and a very amusing scrub race, too, for the Presidential succession. The Democracy of the North are all adrift, the Northern Republicans are wrangling over the split in the party down South, while the Southern Democracy, *à la* masses, leaders and followers, from Virginia to Texas, have joined the liberal Southern Republicans in a new party organization on universal suffrage (negroes and all) and a general political amnesty. At the same time in the North, from Massachusetts to Kansas, the temperance people are organizing for independent action in behalf of the suppression of whisky, while the women's rights women are moving heaven and earth in the cause of woman suffrage, and the labor leagues, numbering their members by hundreds of thousands, are inevitably tending to a new political movement as a balance of power between the two great parties of the day, in national and local affairs.

It appears, furthermore, that while General Grant may be considered as a candidate for another term, there is at least one member of his Cabinet—the Secretary of the Treasury—who aspires to the regular Republican nomination in 1872. Judge Lewis Dent, a candidate for the new Southern liberal party for Governor of Mississippi, in a pungent letter on the subject, flatly says to Mr. Boutwell, "You aim to be the next President; in the pursuit of your ambition you are ungrateful and unscrupulous; you have denounced the Southern conservative Republicans who are for Grant, that you may obtain the proscription of the Southern conservative Republicans who are for Boutwell, and by some strange, dexterous management and occult political strategy you have so worked upon the confidence of the President as to cause him to flourish the club with which you intend to break his head, by inducing him to join you in denunciation of the conservative Republicans, created by his encouragement and triumphant through his encouragement; in other words, in cutting this new Southern party, Grant, according to Dent, has been taken in and done for by Boutwell."

It will be remembered, however, that Chase, as Lincoln's Secretary of the Treasury, played a much bolder game for the succession than anything that has yet appeared from Boutwell, but that in the nominating convention Lincoln walked over the course, and Chase was nowhere. Just as easily may President Grant, if now a candidate, supplant his Secretary of the Treasury. It was done with an effort on the part of Lincoln, and can be done without an effort on the part of Grant, even after giving his Secretary all the rope he may desire. This intermeddling of Mr. Boutwell, however, in Southern politics, has been bad in every way, and in any way no longer wanted; and he will have quite enough to do hereafter in attending to the business of his department.

THE PRESIDENT NO MAN'S MASTER.

From the N. Y. Sun.

Judge Lewis Dent, brother-in-law of President Grant, and candidate for Governor of Mississippi, doesn't like Secretary Boutwell, and has written a letter to abuse him. This is all right. Mr. Boutwell is a statesman, a patriot, and an honest man. Dent is an adventurer looking for anything to turn up, and anxious to run for Governor of Mississippi under false pretenses, claiming to be a Republican when he has never been anything but a Democrat. But Judge Dent is not merely a dishonest politician; he is a flunkey, and we might even say a fool. His language to Mr. Boutwell is such as only a flunkey could employ. "Your organ, the New York Sun," he says, "in the same breath ridicules the capacity of your master, and dwells with emphasis upon your peculiar fitness for his office." Mr. Dent is slightly mistaken when he calls the Sun the organ of the Secretary of the Treasury, but this isn't of much consequence. Indeed, we feel ourselves rather flattered by Dent's assertion. What we want is an honest and high-minded administration of the Government. We desire most ardently to see the Executive Department raised out of the impotence and disrepute to which it has been reduced. We hate and denounce the system of bestowing office in return for presents, and appointing to important places men like Augustus Ford, who cannot hold their commissions a moment except in defiance of the law. We desire to see the United States stand forth before the world as the champion of republican ideas, and the friend of every people that rise against slavery and oppression, as the people of Cuba have done. This is our programme, and if it is Mr. Boutwell's also, we are glad of it; and the Sun will always zealously cooperate with him or any other leader who is bold enough and firm enough to stand by these ideas in these days of donation-party politics, corrupt bestowal of office, and shameful trucking to European diplomacy.

But what does Mr. Dent mean when he calls General Grant the master of the Secretary of the Treasury? Does he suppose that the sycoquancy which he may naturally feel towards the great bestower of office is shared by the public at large? Does he imagine that other men are flunkies because he is one? Or would he force into the relation of the President and his Cabinet that spirit of slavish submission and plantation insolence which the Rebels who propose to use him in Mississippi always cultivated before the war, and love to gratify now? He ought to understand that the President of the United States is no man's master. He is a servant of the people, and will be held to a rigorous account for his stewardship. But he is not the master of a single citizen; and even the snobs and flunkies who are anxious to black his boots, in the hope that he will give them offices, will not that he is their master. Least of all

THE MASTER OF A STATESMAN LIKE MR. BOUTWELL.

From the N. Y. Tribune.

It has been suggested that it would be lucky for General Grant if his brothers-in-law could all be struck by lightning. If such an event is to happen at all, it would be an advantage to the General if the lightning would be very prompt and very effectual in the case of Judge Dent.

MR. PENDLETON'S STRONG POINT.

From the N. Y. Times.

The Democratic candidate for the Governorship of Ohio is alleged by his partisan friends to be sound and consistent on the currency question. We are told that, "as a statesman and a political economist," he is pre-eminently pledged "to restore specie payments and to make a hard-money currency the sole legal-tender." For this service, it is said, "George P. Hendleton is the man." And, by way of evidence, reference is made to his persistent opposition to greenbacks and the legislation which preceded their issue. In a certain sense Mr. Pendleton is undoubtedly consistent. When the creation of a currency was a necessity of the war, it encountered more strenuous opposition than the gentleman whom the Ohio Democracy has selected for their standard-bearer. His aim then was to break down the credit of the Government, and so render the further prosecution of the war impossible, and he endeavored to accomplish his object by assailing and depreciating the nation's currency. Pursuing the same policy, Mr. Pendleton has since the war lost no opportunity of doing what he could to impair the national credit. He makes a direct attack upon it when he proposes to violate the contract entered into with the public creditor, and to redeem in greenbacks obligations made payable in gold. Mr. Pendleton's policy is a policy of repudiation, the mere promulgation of which was injurious, and the adoption of which would be absolutely ruinous to the credit of the Government.

Mr. Pendleton's consistency, then, is the consistency of a man whose sympathy with the Rebellion led him to oppose measures employed to suppress it; and whose hostility to the authority established by the war manifested itself in antagonism to the financial system which contributed to the Union triumph. It is not improbable that this kind of consistency recommended him to the State Democratic Committee that nominated him. We do not believe, however, that it is a consistency which will secure the favor of a State that owes the proudest chapter in its annals to its part in resisting the enemies of whom Mr. Pendleton was the scarcely disguised apologist.

Apart from the uniformity of his course as an enemy of the public credit, Mr. Pendleton is grossly inconsistent. As a hard-money Democrat he might be supposed to desire the early resumption of specie payments. As the author and chief advocate of a scheme for paying the five-twenties in greenbacks, he does what he can to postpone resumption indefinitely. The Pendleton scheme involves further issues of greenbacks. Its friends protest against the imputation that these further issues would be unlimited. But Mr. Pendleton himself has confessed that more greenbacks will be required for the attainment of his object, and in no other manner would it be attainable. In addition to repudiation, therefore, he would inflict upon the country a renewal of inflation, of which the inevitable effect would be to consign specie payments to a remote and uncertain future.

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